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FOR IMMEDIATE RELEASE

Bay City, Michigan

**FORMER POLICE CHIEF FOR ROSE CITY
SENTENCED TO 71 MONTHS FOR ILLEGAL POSSESSION
OF MACHINE GUNS AND SILENCERS**

The former Rose City Chief of Police was sentenced yesterday after having been convicted of unlawful possession of machine guns and silencers by a federal court jury in August, 2007, announced United States Attorney Stephen J. Murphy.

Mr. Murphy was joined in the announcement by Thomas E. Brandon, Special Agent in Charge, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

Maxwell Lee Garnett, 56, was sentenced by United States District Judge Robert H. Cleland to 71 months in prison.

Evidence presented during the three week trial showed that the former official and his co-defendants abused their official positions to obtain 7 machine guns and 9 silencers, which are heavily restricted under federal law, for their own personal use rather than for any law enforcement purpose. In calculating Garnett's sentencing guideline score, and in imposing sentence, Judge Cleland determined that a sentence enhancement based on the false testimony given by Garnett during the trial was appropriate.

Garnett's co-defendant, Gary Theunick, was sentenced to 63 months on March 7, 2008. Frederick A. MacKinnon, the third co-defendant, is scheduled to be sentenced on April 8, 2008. MacKinnon and Theunick were the prosecutor and chief assistant prosecutor, respectively, during part of the time covered by the indictment.

U.S. Attorney Murphy said, "When prosecutors and police officers flout the law just to be able to get a hold of particularly dangerous weapons for their personal recreation, this is an abuse of power that violates the public's trust in the fair application of the law."

Special Agent Brandon said, "The jury verdict and subsequent sentence against these defendants shows that no one is above the law."

Mr. Murphy commended the excellent investigative work of the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Michigan State Police, as well as the federal prosecution team from the Bay City and Detroit U.S. Attorney's Offices.